

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**IN RE METHYL TERTIARY BUTYL  
ETHER (“MTBE”) PRODUCTS  
LIABILITY LITIGATION**

**Master File No. 1:00-cv-1898  
MDL 1358 (VSB)**

This document relates to:

*Commonwealth of Pennsylvania v. Exxon  
Mobil Corp., et al.*, No.: 1:14-cv-06228

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE AS TO  
DEFENDANT NUSTAR TERMINALS OPERATIONS PARTNERSHIP LP, f/k/a  
SUPPORT TERMINALS OPERATING PARTNERSHIP, LP**

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the Parties hereby stipulate to the dismissal of NuStar Terminals Operations Partnership LP, f/k/a Support Terminals Operating Partnership, LP (“Settling Defendant”) with prejudice, and further stipulate that no further approval or review of the Settlement Agreement executed by and between the Plaintiff and Settling Defendant (“Agreement”) by the Court is required. This Stipulation of Dismissal is effective upon filing. *Hester Indus., Inc. v. Tyson Foods, Inc.*, 160 F.3d 911, 916 (2d Cir. 1998).

Is it hereby ORDERED that all of the claims against NuStar Terminals Operations Partnership LP, f/k/a Support Terminals Operating Partnership, LP shall be dismissed, with prejudice and that no further approval or review of the Agreement is required by the Court.

This Stipulation and Order shall not dismiss any other claims by Plaintiff against any other Defendants.

<p>Plaintiff, Commonwealth of Pennsylvania, By its attorneys,</p> <p><u>/s/ Mike Axline (with permission)</u> Mike Axline Miller, Axline &amp; Sawyer 1050 Fulton Avenue, Suite 100 Sacramento, CA 95825 (916) 488-6688 Fax: (916) 488-4288 Email: dmiller@toxictorts.org</p>	<p>Defendant, NuStar Terminals Operations Partnership LP, By its attorneys,</p> <p><u>/s/ Todd Mensing</u> Todd Mensing Sammy Ford Paul Turkevich Ahmad, Zavitsanos &amp; Mensing P.C. 1221 McKinney Street, Suite 2500 Houston, TX 77010 (713) 655-1101 Fax: (713) 655-0062 tmensing@azalaw.com sford@azalaw.com pturkevich@azalaw.com</p>
<p>Defendants, Atlantic Richfield Company, BP America Inc., BP Amoco Chemical Company, BP Holdings North America Limited, BP p.l.c., BP Products North America, Inc., BP West Coast Productions, L.L.C. By their attorneys,</p> <p><u>/s/ Amanda Jacobowski (with permission)</u> Andrew R. Running Mark Steven Lillie Andrew J. Langan Amanda Jacobowski Kirkland &amp; Ellis LLP (IL) 300 North LaSalle Street Chicago, IL 60654 (312) 862-2412 Fax: (312) 862-2200 Andrew.Running@kirkland.com Andrew.langan@kirkland.com Mark.lillie@kirkland.com Amanda.jacobowski@kirkland.com</p>	<p>Defendants, Chevron Corp., Chevron U.S.A., Inc., TRMI-H LLC, and Texaco, Inc. By their attorneys,</p> <p><u>/s/ James Maher (with permission)</u> Charles Correll James Maher King &amp; Spalding LLP (TX) 1100 Louisiana Houston, TX 77002 (713) 276-7354 Email: ccorrell@kslaw.com jmaher@kslaw.com jjanderson@jlaw.com</p>

<p>Defendants, Exxon Mobil Corporation, Exxon Company, U.S.A., ExxonMobil Refining &amp; Supply Company, Mobil Oil Corporation, and Exxon Mobil Oil Corporation, By their attorneys,</p> <p><u>/s/James Pardon (with permission)</u> James Anthony Pardo Lisa Gerson McDermott, Will &amp; Emery, LLP (NY) 340 Madison Avenue New York, NY 10017 (212) 547-5353 Fax: (212) 547-5444 Email: jpardo@mwe.com lgerson@mwe.com</p> <p>William Stack Carlos Bollar Archer &amp; Greiner, PC 33 East Euclid Avenue One Centennial Sq. Haddonfield, NJ 08033 (856) 345-3016 Email: wstack@archerlaw.com cbollar@archerlaw.com</p>	<p>Defendant, Citgo Petroleum Corporation, and Citgo Refining and Chemicals Company, LP, By their attorneys,</p> <p><u>/s/ Lisa Meyer (with permission)</u> Nathan Philip Eimer Pamela Hanebutt Lisa Meyer Eimer Stahl LLP 224 South Michigan Avenue Suite 1100 Chicago, IL 60604 312-660-7600 Fax: 312-692-1718 neimer@eimerstahl.com phanebutt@eimerstahl.com lmeyer@eimerstahl.com</p>
<p>Defendants, ConocoPhillips Company, ConocoPhillips, Phillips 66, Phillips 66 Company, By their attorneys,</p> <p><u>/s/ Stephen Dillard (with permission)</u> Stephen Cann Dillard Jessica Farley Norton Rose Fulbright 1301 McKinney, Suite 5100 Houston, TX 77010 (713) 651-5507 Fax: (713) 651-5246 steve.dillard@nortonrosefulbright.com Jessica.farley@nortonrosefulbright.com</p>	<p>Defendant, Crown Central, LLC, By its attorneys,</p> <p><u>/s/ Duke McCall (with permission)</u> Duke McCall Morgan, Lewis &amp; Bockius 1111 Pennsylvania Ave. NW Washington, DC 20004 (202) 373-6607 Fax: (202) 739-3001 duke.mccall@morganlewis.com</p>

<p>Defendant, Cumberland Farms Inc. and Gulf Oil Limited Partnership,</p> <p>By their attorneys,</p> <p><u>/s/ Chad Higgins (with permission)</u> Chad W. Higgins Bernstein Shur 100 Middle Street P.O. Box 9729 Portland, ME 04104 (207) 228-7186 Fax: (207) 774-1127 chiggins@bernsteinshur.com</p> <p>Mark Edward Tully Goodwin Procter, LLP (Boston) 53 State Street, Exchange Place Boston, MA 02109 (617) 570-1289 Fax: (617) 523-1231 mtully@goodwinprocter.com</p>	<p>Defendants, Equilon Enterprises LLC, Pennzoil Company, Pennzoil Quaker State Company, Motiva Enterprises LLC, Star Enterprise LLC, Shell Oil Company, Shell Oil Products Company, LLC, TMR Company, Shell Trading (US) Company, and Deer Park Refining Limited Partnership</p> <p>By their attorneys,</p> <p><u>/s/ Peter Condron (with permission)</u> Peter Condron Jessica Douglas Gilbert Crowell &amp; Moring, LLP 1001 Pennsylvania Ave., NW Washington, DC 20004 (202) 624-2558 Fax: (202) 628-5116 pcondron@crowell.com jgilbert@crowell.com</p>
<p>Defendant, George E. Warren Corporation, By its attorneys,</p> <p><u>/s/ Ira Matesky (with permission)</u> Ira Brad Matetsky Ganfer &amp; Shore LLP 360 Lexington Avenue, 14th Floor New York, NY 10017 (212) 922-9250 Fax: (212) 922-9335 Email: imatetsky@ganshore.com</p>	<p>Defendants, Getty Properties Corporation, and Getty Petroleum Marketing Inc. By its attorneys,</p> <p><u>/s/ Susan Dean (with permission)</u> John Christie II McMeekin Susan M. Dean Rawle &amp; Henderson, LLP The Widener Bldg., One South Penn Square Philadelphia, PA 19107 (215) 575-4324 Fax: (215) 563-2583 Email: jmcmeekin@rawle.com sdean@rawle.com</p>

<p>Defendant, Guttman Realty Company By its attorneys,</p> <p><u>/s/ Stephen Oliwa (with permission)</u> Stephen J. Riccardulli Stephen Oliwa Buchanan Ingersoll &amp; Rooney P.C.(NYC) 1290 Avenue of the Americas, 30<sup>th</sup> Floor New York, NY 10104 (212) 440-4482 Fax: (212) 440-4401 stephen.riccardulli@bipc.com stephen.Oliwa@bipc.com</p>	<p>Defendant, Hartree Partners, LLC, and Hartree Partners, LP, By its attorneys,</p> <p><u>/s/ Francis Healy (with permission)</u> Francis Healy Stroock 180 Maiden Lane New York, NY 10038 212-806-5596 Fax: 212-806-6006 Fhealy@stroock.com</p> <p>David Andrew Sifre Law Office of David Sifre LLC 51 Pondfield Road, Ste 9 Bronxville, NY 10708 914-898-3283 Fax: 914-898-3254 Email: david@sifrelaw.com</p>
<p>Defendants, Hess Corporation; Hess Energy Trading Company, LLC; and Hess Oil Virgin Islands Corporation By their attorneys,</p> <p><u>/s/ Christopher Danley (with permission)</u> Christopher Danley Baker Botts LLP 700 K St. NW Washington, DC 20001 (202) 639-7842 Fax: (202) 585-1049 christopher.danley@bakerbotts.com</p>	<p>Defendants, Lukoil Americas Corporation, Lukoil Oil Company, Lukoil Pan Americas, LLC, and Lukoil North America LLC By their attorneys,</p> <p><u>/s/ Joseph Sorkin (with permission)</u> Joseph. L. Sorkin Akin Gump Strauss Hauer &amp; Feld LLP One Bryant Park Bank of America Tower New York, NY 10036-6745 (212) 872-7464 Fax: (212) 872-1002 jsorkin@akingump.com</p>

<p>Defendants, Petroleum Products Corporation, By its attorneys,</p> <p><u>/s/ Chris Scanlon (with permission)</u> Christopher Scanlon Clausen Miller PC 28 Liberty Street 39<sup>th</sup> Floor New York, NY 10005 (212) 805-3979 Fax: (212) 805-3939 cscanlon@clausen.com</p>	<p>Defendants, United Refining Company and TransMontaigne Product Services LLC, By their attorneys,</p> <p><u>/s/ Dawn Ellison (with permission)</u> Brent H. Allen Dawn Ellison Greenberg Traurig LLP (DC2) 2101 L Street, N.W., Suite 1000 Washington, DC 20037 (202) 331-3100 Fax: (202)-331-3101 ellisond@gtlaw.com allenbr@gtlaw.com</p>
<p>Defendants, Premcor USA, Inc., The Premcor Refining Group, Inc., Valero Energy Corporation, Valero Refining Company – New Jersey, Valero Marketing , Ultramar Diamond Shamrock Corporation, and Supply Company, and Valero Refining and Marketing Company, By their attorneys,</p> <p><u>/s/ Erika Anderson (with permission)</u> Erika M. Anderson Dowd Bennett LLP 7733 Forsyth Blvd., Suite 1900 St. Louis, MO 63105 (314) 677-4419 Fax: (314) 863-2111 eanderson@dowdbennett.com</p>	<p>Defendants, Sun Company, Inc., Sunoco Inc., Sunoco, Inc. (R&amp;M), Energy Transfer Partners, L.P., ETP Holdco Corporation, and Sunoco Partners Marketing &amp; Terminals L.P. By their attorneys,</p> <p><u>/s/ Daniel Krainin (with permission)</u> Nessa Horewitch Coppinger Beveridge and Diamond P.C. 1350 I Street NW Suite 700 Washington, DC 20005-3311 (202) 789-6053 Fax: (202) 789-6190 ncoppinger@bdlaw.com</p> <p>Daniel Mark Krainin Beveridge &amp; Diamond, P.C. 477 Madison Avenue, 15th Flr. New York, NY 10022 (212) 702-5400 Fax: (212) 702-5450 dkrainin@bdlaw.com</p>

Defendant,  
Total Petrochemicals & Refining USA, Inc.,  
By its attorneys,

/s/ Diane Meyers (with permission)

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SO ORDERED the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
UNITED STATES DISTRICT COURT JUDGE